

Open Letter to Kevin Stewart, the Minister for Local Government, Housing and Planning and Paul Wheelhouse, Minister for Energy, Connectivity and the Islands, Scottish Government

22 January 2020

Dear Mr Stewart and Mr Wheelhouse,

ENERGY EFFICIENT SCOTLAND: PRIVATE RENTED SECTOR

I am writing to urge you to publish the finalised regulations and guidance for the Energy Efficiency (Private Rented Property) (Scotland) Regulations 2019 as soon as possible and provide substantial information and support to Local Authorities so they can aid landlords in meeting these regulations.

We all want tenants to live in warm safe homes, and our members are proud of the role they play in providing affordable housing in Scotland's remote, rural communities. The sector urgently needs reassurance on the changes that lie ahead, but landlords are currently being left in limbo as they await the finalised regulations. It is unreasonable to expect them to undertake significant energy improvement works while there is no finalised set of regulations and guidance.

Although draft regulations were published last year, these policies are still in draft form under consultation and therefore do not provide the security needed for landlords to plan and invest in their properties.

You mention in your letter of 17 December 2019 to the Local Government and Communities Committee that you have put in place various types of support. However, much of the detail regarding the everyday reality of the regulations was missing from the draft guidance and without these landlords are reluctant to make use of the grant and support you have put in place. Furthermore, after the consultation period we were informed that wider support would be available for landlords but details on this have not been released.

Our members are committed to working with the new regulations and making the required changes to their properties to ensure their tenants have warm, safe homes. However, making improvements to increase the energy efficiency of a home can be a significant financial undertaking for many landlords and therefore we urgently need the finalised guidance to be published imminently in advance of the regulations coming into force on the 1st of April 2020.

Making significant changes to a property can be a huge logistical undertaking and leaving such a short window for landlords to meet the new regulations will make this task even more difficult than it already is. This is of particular concern in rural areas where the majority of the properties in a poorer condition are located. Our members already have concerns regarding scarcity of skilled tradespeople and contractors in rural areas. We are concerned that the work force is not going to be sufficient enough to carry out the improvements needed to many rural properties. Furthermore, construction and repair work are seasonal in rural areas, where they can often suffer from poorer and more challenging weather conditions.

We understand you are working with COSLA and SOLACE to finalise strategic governance arrangements to oversee delivery of the programme, which is welcome. However, we are disappointed that this has not been done well in advance of the 1 April 2020 deadline. Local Authorities are a first point of contact for landlords. We have been contacted by a number of members across Scotland who have tried to get advice from their Local Authority, but they have been unable to provide any guidance or advise on a date from when guidance will be available.

SLE and its members are committed to work with the Scottish Government and Ministers to respond seriously to the climate targets. However, we are alarmed that while there remains no detail as to how these regulations will work in practice or an evaluation of their impact you are consulting on accelerating the target to achieve EPC Band C in most properties by 2030 instead of 2040. We would ask that you reconsider any accelerating any targets until the impact of the proposed regulations can be evaluated.

We urge you to publish the finalised regulations and guidance as soon as possible and provide the required information and support to Local Authorities so they can aid landlords in meeting these regulations.

Your sincerely,

Sarah-Jane Laing

Chief Executive

Scottish Land & Estates